

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

ANTHONY DAWYNE SINGLETON

PLAINTIFF

VS.

CIVIL ACTION NO. 3:07cv667-JCS

CORPORAL LONNIE HAYNES and
HINDS COUNTY

DEFENDANTS

MEMORANDUM OPINION AND ORDER

Plaintiff brought this action pursuant to § 1983 alleging he was assaulted by Defendant Haynes and other detention center officers while he was being held as a pretrial detainee at the Hinds County Detention Center (HCDC). Presently before the court is the motion of Defendants to dismiss, or, in the alternative, for summary judgment, on Plaintiff's claims against Defendant Hinds County. Having considered the motion, the court concludes that the motion to dismiss should be granted.

Hinds County may not be held liable for the assault alleged by Plaintiff absent a showing that the assault resulted from a county policy or custom adopted or maintained with objective deliberate indifference to Plaintiff's constitutional rights. *Scott v. Moore*, 114 F.3d 51, 54 (5th Cir. 1997). In both his complaint and in his testimony at the omnibus hearing, Plaintiff described a single episode during which he was allegedly assaulted by Defendant Haynes and other officers at the Hinds County Detention Center. Nowhere has Plaintiff alleged that this incident was anything other than an isolated occurrence. Accordingly, the claims against Defendant Hinds County are hereby dismissed. This

matter will proceed to trial on the individual capacity claims against Defendant Haynes.

SO ORDERED this the 17th day of June, 2008.

/s/ James C. Sumner

UNITED STATES MAGISTRATE JUDGE